

III. New requirements for ALL cases

5. Discharge to ground water (DGW) proposals - under a NJPDES permit-by-rule

| Action | When | Forms | Fees | Other sources of info | Rule citations |
|---|--|--|-------|---|--|
| <p>For cases that are exempt from the public notice requirements, submit a DGW proposal without draft public notice for:</p> <ul style="list-style-type: none"> Discharges to ground water that will last 180 days or less; or For the remediation of a unregulated underground storage tank (UHOT) | Recommended at least 30 days before starting DGW | <p>DGW Proposal form</p> <p>Draft public notice for a proposed DGW</p> <p>Fee form</p> | \$350 | <p>Discharge to Ground Water Technical Manual for SRP</p> | <p>7:26E-7.2</p> <p>7:26C-4.3(c)</p> <p>7:26E Appendix H</p> |
| For cases that are required to conduct public notice (for all cases not listed above), submit a DGW proposal with a draft public notice | Recommended at least 45 days before starting a DGW when public notice is required | <p>DGW Proposal form</p> <p>Draft public notice for a proposed DGW</p> <p>Fee form</p> | \$350 | <p>Discharge to Ground Water Technical Manual for SRP</p> | <p>7:26E-7.2</p> <p>7:26C-4.3(c)</p> <p>7:26E Appendix H</p> |
| <p>Send a copy of the Department approved public notice discharge proposal to:</p> <p>Send a copy of the DGW proposal if the municipality or local health official requests to:</p> | <ol style="list-style-type: none"> The clerk for each municipality in which the contaminated site is located, The designated local health official for each municipality in which the contaminated site is located; and The Pinelands Commission, if the contaminated site is located within the Pinelands. | | | | |
| Publish the public notice in a | 35 days prior to the startup | Draft Public Notice for a | NA | NA | 7:26E-7.2(c)3 |

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|--|---------------------------------------|------------------------------|----|----|-------------------------------|
| local newspaper | date of the discharge | proposed DGW | | | |
| Submit proof of publication and a list of recipients to the Department | 15 days after the notice is published | NA | NA | NA | 7:26E-7.2(c)4 |

All DGW proposal shall be sent to : NJDEP -Bureau of Case Assignment & Initial Notice
401 East State Street
P.O. Box 435
Trenton, NJ 08625-0435

- **What kind of discharges are included in a DGW proposal?**

A DGW proposal is defined at N.J.A.C 7:26E-1.8 and includes discharges to the ground, or into ground water, designed to occur during, or as part of the remediation of a contamination site. Most of these discharges are part of activities required for the purpose of restoring, enhancing, and maintaining the ground water quality of the State. Discharging water derived from recovery of contaminated ground water to infiltration ponds or injection wells and release or injection of additives to the ground in order to enhance in situ remediation of contaminated soil or ground water are examples of these discharges to ground water. DGWs resulting from construction dewatering at contaminated sites or dewatering related to regulated underground storage tanks are also included.

- **What is a permit-by-rule under Site Remediation?**

This permit-by-rule is a regulatory provision authorizing the person responsible for conducting the remediation to operate or cause a discharge to ground water if they meet the requirements of the NJPDES rules at N.J.A.C. 7:14A-7.5(b) and the applicable requirements of the Technical Rules at 7:26E-7.2. N.J.A.C. 7:14A-7.5(b)2 requires receipt of a written approval of the discharge from the Department.

- **How does a permit-by-rule differ from a Remedial Action Permit?**

A permit-by-rule is the regulatory mechanism that allows a person to discharge to the ground or into ground water during or as part of a remediation of a contaminated site. A Remedial Action Permit that is issued pursuant to N.J.A.C. 7:26C-7, is a permit that regulates engineering or institutional control associated with the remediation of a contaminated site. Please refer to the Quick Reference Guides for Remedial Action Permits for more information.